

216259

**JOHN D. HEFFNER, PLLC**

1920 N STREET, N.W.

SUITE 800

WASHINGTON, D.C. 20036

(202) 263-4180

FAX (202) 296-3939

j.heffner@verizon.net

ENTERED  
Office of Proceedings



Part of  
Public Record

April 17, 2006

**BY FAX AND U.S. MAIL**

Honorable Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423

**RE: STB Finance Docket No. 34046, New York Cross  
Harbor Railroad-Petition for Declaratory Order**

Dear Mr. Williams:

I am writing on behalf of the New York Cross Harbor Railroad ("NYCH") in connection with the above-captioned proceeding. On March 17, 2006, the Board served an order giving NYCH and any other interested parties until April 17, 2006, to file pleadings demonstrating an need to keep this proceeding pending. By this letter, I am advising the Board that NYCH is dismissing without prejudice the Petition for Declaratory Order originally filed in this proceeding.

Please date stamp and return one copy of this letter.

Respectfully submitted,

John D. Heffner  
Counsel for Petitioner

cc: Office of Proceedings (by fax to 565-9002)